REMARKS

Applicants respectfully traverse the restriction of claims 1 and 5-15 as allegedly being drawn to fifteen structurally distinct species for the reasons provided below. However, in order to be fully responsive, Applicants elect the **peptide of SEQ ID NO: 9** for prosecution on the merits. Applicants acknowledge that should the restriction be made final, the claims shall be restricted to the elected species if no generic claim is finally held to be allowable.

Applicants respectfully traverse the requirement to elect a single peptide sequence, and submit that it would not place an undue burden on the Examiner to search more than one sequence in claim 1. The claimed sequences are all variations of the myostatin propetide, which act as substrates for the claimed metalloprotease. Contrary to reasoning offered by in the Office Action, the claimed sequences do not have different effects. Rather, they all participate in the same cleavage reaction catalyzed by mTLL-2. In addition, the sequences are all closely related, with the differences being in the extent of C-terminal truncations and/or the presence of certain mutations that affect the rate of cleavage (see Example 3 of the specification as filed). As such, since the claimed sequences are all functionally and structurally related, Applicants object to the division of the peptide sequences as set forth in claim 1 such that Applicants would be forced to file 15 separate patent applications to obtain protection for methods of using related sequences having identical functions. Accordingly, Applicants respectfully request rejoinder of SEQ ID NOs: 9-23 for prosecution on the merits.

Should the Examiner not find the above traversal convincing, Applicants respectfully request that at least certain groups of sequences be prosecuted together. For example, SEQ ID NOs: 9, 12, 15, 18, and 21 should be identified as Group A; SEQ ID NOs: 10, 13, 16, 19 and 22 should be identified as Group B; and SEQ ID NOs: 11, 14, 17, 20 and 23 should be identified as Group C. These three groupings correspond to peptides encompassing the BMP-1/TLD metalloprotease cleavage site, peptides in which the arginine residue at the P1 position just upstream of the cleavage site was changed to a glutamine residue, and peptides in which the aspartic acid at the P1' position just downstream of the cleavage site was changed to an alanine, respectively (see paragraph [0094] of the specification as filed). Should the Examiner find this

argumentation convincing, Applicants respectfully request that the sequences identified as **Group A**, above, be prosecuted on the merits.

CONCLUSION

The Examiner is invited to contact Applicant's undersigned representative if there are any questions relating to this application.

No fees are deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any other fees that may be due in connection with the filing of this paper, or credit any overpayment to Deposit Account No. 07-1896, referencing the above-identified attorney docket number.

Respectfully submitted,

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